

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

BELINDA SPINOSI,

Plaintiff,

v.

**Civil Action 2:11-cv-00961
Judge Algenon L. Marbley
Magistrate Judge E.A. Preston Deavers**

**THE UNITED STATES OF AMERICA
U.S. ATTORNEY GENERAL, *et al.*,**

Defendants.

ORDER

This matter is before the Court for consideration of the December 6, 2011 Report and Recommendation of the Magistrate Judge. (ECF No. 4.) Pursuant to an initial screen of Plaintiff's Complaint, the Magistrate Judge recommended that the Court dismiss Plaintiff's action for failure to state a claim.

The Report and Recommendation of the Magistrate Judge specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report & Recommendation 13, ECF No. 4.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly,

Plaintiff's action is **DISMISSED** for failure to state a claim. The Clerk is **DIRECTED** to remove this action from the Court's pending case list.

IT IS SO ORDERED.

s/Algenon L. Marbley

ALGENON L. MARBLEY

UNITED STATES DISTRICT COURT

DATED: February 3, 2012